



1647

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

) Group Art Unit: 1647

ROSENTHAL et al.

) Examiner: DeBerry, Regina M.

Serial No.: 09/893,339

) SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Filed: June 26, 2001

)

Confirmation No.: 1140

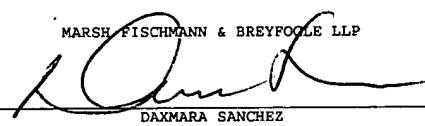
)

Atty. File No.: 42830-00236

)

For: "COMPOSITION FOR DELIVERY OF
HEMATOPOIETIC GROWTH FACTOR"

)

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>MARCH 4, 2004</u> .	
MARCH FISCHMANN & BREYFOOLE LLP	
BY:	 DAXMARA SANCHEZ

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §1.56, Applicant hereby submits this Supplemental Information Disclosure Statement with copies of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified patent application.

Also enclosed is a Statement Under 37 C.F.R. 1.97(e) Accompanying Information Disclosure Statement. While Applicant believes no fees are due in connection herewith, please charge all required fees under 37 C.F.R. 1.17 to Deposit Account No. 50-1419.



Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: Ross E. Breyfogle

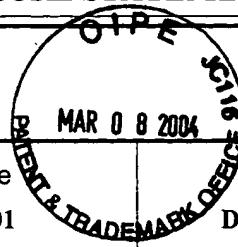
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Date: March 4, 2004

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
42830-00236

In Re Application Of: **ROSENTHAL et al.**



Serial No.
09/893,339

Filing Date
June 26, 2001

Examiner

DeBerry, Regina M.

Group Art Unit
1647

Invention: **"COMPOSITION FOR DELIVERY OF HEMATOPOIETIC GROWTH FACTOR"**

TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

A handwritten signature in black ink, appearing to read "Ross E. Breyfogle, Esq." Below the signature, the word "Signature" is written in a smaller, italicized font.

Ross E. Breyfogle, Esq.

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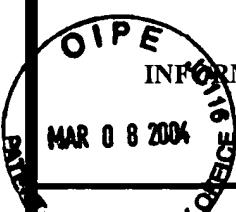
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03/04/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A handwritten signature in black ink, appearing to read "Daxmara Sanchez".

Daxmara Sanchez
Typed or Printed Name of Person Mailing Correspondence

cc:



INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

MAR 8 2004

Docket Number (Optional) **42830-00236**

Application Number

Applicant(s)
Rosenthal et al.

Filing Date

June 26, 2001

Group Art Unit

1647

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
A.	EP0551626A1	07/21/93	EUROPE	A61K	47/10		

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant.